

Indiana Department of Education

Division of Exceptional Learners

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER:	1925.02
COMPLAINT INVESTIGATOR:	Sandie Scudder
DATE OF COMPLAINT:	May 31, 2002
DATE OF REPORT:	June 28, 2002
REQUEST FOR RECONSIDERATION:	no
DATE OF CLOSURE:	July 19, 2002

COMPLAINT ISSUES:

Whether the Zionsville Community School Corporation and the West Central Joint Services violated:

511 IAC 7-27-7(a) by failing to implement the student's individualized education program (IEP) as written, specifically, failing to complete the Indiana Assessment System of Education Proficiencies (IASEP) as included in the IEP.

FINDINGS OF FACT:

1. The student (Student) is 7 years old, is in kindergarten, and is eligible for special education and related services as a student with autism spectrum disorder and a communication disorder.
2. The Complainant alleges that on August 28, 2001, the case conference committee (CCC) decided that the Student would participate in the Indiana Assessment System of Education Proficiencies (IASEP). It was the Complainant's understanding that the IASEP would be administered every year and "then in the years that his grade level would be parallel with ISTEP we would be getting our state generated report."
3. The IEPs dated April 27 and August 28, 2001, both document "N/A" for "ELIGIBILITY FOR PARTICIPATION IN STANDARDIZED LOCAL/STATEWIDE TESTING." The IEPs do not include information regarding alternate assessments. The CCC notes dated August 28, 2001, state: "Consideration of 'Local and State Wide Testing' will take place in year prior to [Student's] participation in this testing. The case conference committee will decide the appropriate assessment to be used prior to the assessment year." The Complainant signed the IEP dated April 27, 2001, that was developed during the annual case review. The IEP was discussed during the case conference committee meeting on August 28, 2001, but did not require that the Complainant sign the IEP.

CONCLUSIONS:

1. Findings of Fact #2 and #3 indicate that the Student's IEP did not require the Student's participation in the IASEP. Since the CCC Report/IEP dated August 28, 2001, does not require assessment, no violation of 511 IAC 7-27-7(a) is found.

The Department of Education, Division of Exceptional Learners requires no corrective action based on the Findings of Fact and Conclusions listed above.